

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL DOCKET NO. 3:06cr60-V**

UNITED STATES OF AMERICA

vs.

**MARCO ANTONIO HERNANDEZ-
ALDAME**

ORDER

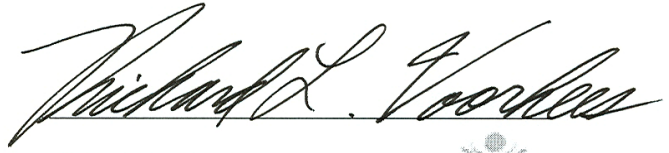
THIS MATTER is before the Court upon Defendant's Oral Motion To Continue Trial Date from Judge Richard L. Voorhees' July 2006 trial term in the Charlotte Division.

For the reasons stated in Defendant's motion, and upon a showing that defense counsel has not had sufficient time within which to adequately prepare a defense in this case, taking into account the exercise of due diligence, the Court will allow the continuance. **18 U.S.C. § 3161(h)(8)(B)(iv)**. The Court further finds that the ends of justice served by taking such action as requested by the Defendant outweigh the best interest of the public and the Defendant to a speedy trial, and that the Government does not oppose this motion.

Furthermore, although previously scheduled for Judge Voorhees' Charlotte trial term on 26 July 2006, the above captioned matter will be reassigned to Judge Frank Whitney's 23 October 2006 trial term in the Charlotte Division. Thus, the time period from 26 July 2006, until the date of Defendant's trial, during the 23 October 2006 trial term, is excludable from the speedy trial time period.

IT IS, THEREFORE, ORDERED that the Defendant's oral motion to continue is **GRANTED** and this case is hereby continued from Judge Voorhees' 26 July 2006 trial term in the Charlotte Division to Judge Whitney's 23 October 2006 trial term in the Charlotte Division.

Signed: August 1, 2006

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the name.

Richard L. Voorhees
United States District Judge

